

In the Claims

The status of the claims has been identified in accordance with Sections 4C and 4E of the Notice of Non-Compliant Amendment. In accordance with the Amendment After Final previously submitted, please amend claims 1, 3, 51 and 68 and cancel claim 2 without prejudice. Pending claims 1, 3-11 and 13-68 follow. The amendments and claims are the same as previously submitted in the Amendment After Final.

1. (Currently Amended) A sweet microwave popcorn product comprising:

a microwaveable container;

a plurality of unpopped corn kernels in the container;

a plurality of sugar pellets in the container, wherein each sugar pellet comprises sugar in an amount of at least about 15% by weight, based on the total weight of the sugar pellet, wherein the sugar pellets are substantially free of an emulsifying agent and are not homogeneously mixed with the unpopped kernels; and

an oil component in the container, wherein more of the oil component is contained in the container with the unpopped kernels than is maintained with the sugar pellets, and wherein the kernels act generally as a buffer between the unhomogenized sugar pellets and the oil component, thereby reducing burning of the sugar pellets when the product is heated.

2. (Canceled).

3. (Currently Amended) A microwave popcorn product according to claim 1, wherein the sugar pellets do not contain any an emulsifying agent.

4. (Original) A microwave popcorn product according to claim 1, wherein the sugar pellets further comprise corn syrup.

5. (Original) A microwave popcorn product according to claim 4, wherein the ratio of sugar to corn syrup in each sugar pellet ranges from about 1:1 to about 5:1.

6. (Original) A microwave popcorn product according to claim 1, wherein the unpopped corn kernels are present in a total amount ranging from about 15% to about 95% by weight based on the total weight of the product excluding the container.

7. (Original) A microwave popcorn product according to claim 1, wherein the sugar pellets are present in a total amount ranging from about 1% to about 70% by weight based on the total weight of the product excluding the container.

8. (Original) A microwave popcorn product according to claim 1, wherein each sugar pellet has a moisture content no greater than about 3.5%.

9. (Original) A microwave popcorn product according to claim 1, wherein each sugar pellet has a moisture content no greater than about 2.5%.

10. (Previously Presented) A microwave popcorn product according to claim 1, wherein the sugar pellets are prepared according to the process comprising:

admixing sugar and corn syrup to produce an admixture;

reducing the moisture content of the admixture by heating the admixture to a temperature ranging from about 110°C to about 170°C; and

forming the heated admixture into the sugar pellets.

11. (Original) A microwave popcorn product according to claim 10, wherein the process further comprises subjecting the heated admixture to a vacuum to further reduce the moisture content of the admixture.

12. (Cancelled).

13. (Previously Presented) A microwave popcorn product according to claim 1, wherein the oil component comprises partially hydrogenated soybean oil, salt, color, butter flavor and sucralose.

14. (Previously Presented) A microwave popcorn product according to claim 1, wherein the product further comprises salt in the container.

15. (Original) A microwave popcorn product according to claim 14, wherein the salt is present in a total amount up to about 10% by weight based on the total weight of the product excluding the container.

16. (Original) A microwave popcorn product according to claim 1, wherein the microwaveable container does not include a susceptor.

17. (Original) A microwave popcorn product according to claim 16, wherein the sugar pellets are present in a total amount ranging from about 10% to about 70% by weight based on the total weight of the product excluding the container.

18. (Original) A microwave popcorn product according to claim 1, wherein the microwaveable container includes a susceptor.

19. (Original) A microwave popcorn product according to claim 18, wherein the microwaveable container comprises a bag having a top surface and a bottom surface, and further wherein the susceptor is generally flat and attached to the bottom surface of the bag.

20. (Original) A microwave popcorn product according to claim 19, wherein the susceptor extends over at least about 40% of the length of the bag.

21. (Original) A microwave popcorn product according to claim 19, wherein the susceptor extends over at least about 50% of the length of the bag.

22. (Original) A microwave popcorn product according to claim 21, wherein the unpopped corn kernels are present in a total amount ranging from about 40% to about 95% by weight based on the total weight of the product excluding the container.

23. (Original) A microwave popcorn product according to claim 21, wherein the unpopped corn kernels are present in a total amount ranging from about 45% to about 75% by weight based on the total weight of the product excluding the container.

24. (Original) A microwave popcorn product according to claim 21, wherein the sugar pellets are present in a total amount ranging from about 1% to about 10% by weight based on the total weight of the product excluding the container.

25. (Original) A microwave popcorn product according to claim 21, wherein the sugar pellets are present in a total amount ranging from about 2% to about 4% by weight based on the total weight of the product excluding the container.

26. (Original) A microwave popcorn product according to claim 21, wherein the product further comprises an oil component present in a total amount ranging from about 10% to about 45% by weight based on the total weight of the product excluding the container.

27. (Original) A microwave popcorn product according to claim 21, wherein the product further comprises an oil component present in a total amount ranging from about 20% to about 40% by weight based on the total weight of the product excluding the container.

28. (Original) A microwave popcorn product according to claim 21, wherein:
the unpopped corn kernels are present in a total amount ranging from about 40% to about 95% by weight based on the total weight of the product excluding the container;

the sugar pellets are present in a total amount ranging from about 1% to about 10% by weight based on the total weight of the product excluding the container; and

the product further comprises an oil component present in a total amount ranging from about 10% to about 45% by weight based on the total weight of the product excluding the container.

29. (Original) A microwave popcorn product according to claim 21, wherein:
the unpopped corn kernels are present in a total amount ranging from about 45% to about 75% by weight based on the total weight of the product excluding the container;
the sugar pellets are present in a total amount ranging from about 2% to about 4% by weight based on the total weight of the product excluding the container; and
the product further comprises an oil component present in a total amount ranging from about 20% to about 40% by weight based on the total weight of the product excluding the container.

30. (Original) A microwave popcorn product according to claim 29, wherein the susceptor covers at least about 90% of the width of the bag.

31. (Original) A microwave popcorn product according to claim 19, wherein the susceptor covers from about 25% to about 50% of the length of the bag.

32. (Original) A microwave popcorn product according to claim 19, wherein the susceptor covers from about 30% to about 40% of the length of the bag.

33. (Previously Presented) A microwave popcorn product according to claim 19, wherein the susceptor covers from about 75% to about 85% of the width of the bag.

34. (Previously Presented) A microwave popcorn product according to claim 19, wherein the unpopped corn kernels are present in a total amount ranging from about 20% to about 80% by weight based on the total weight of the product excluding the container.

35. (Previously Presented) A microwave popcorn product according to claim 19, wherein the unpopped corn kernels are present in a total amount ranging from about 25% to about 55% by weight based on the total weight of the product excluding the container.

36. (Previously Presented) A microwave popcorn product according to claim 19, wherein the sugar pellets are present in a total amount ranging from about 5% to about 35% by weight based on the total weight of the product excluding the container.

37. (Previously Presented) A microwave popcorn product according to claim 19, wherein the sugar pellets are present in a total amount ranging from about 15% to about 25% by weight based on the total weight of the product excluding the container.

38. (Previously Presented) A microwave popcorn product according to claim 19, wherein the product further comprises an oil component present in a total amount ranging from about 20% to about 50% by weight based on the total weight of the product excluding the container.

39. (Previously Presented) A microwave popcorn product according to claim 19, wherein the product further comprises an oil component present in a total amount ranging from about 30% to about 50% by weight based on the total weight of the product excluding the container.

40. (Previously Presented) A microwave popcorn product according to claim 19, wherein:

the unpopped corn kernels are present in a total amount ranging from about 25% to about 55% by weight based on the total weight of the product excluding the container;

the sugar pellets are present in a total amount ranging from about 15% to about 25% by weight based on the total weight of the product excluding the container; and

the product further comprises an oil component present in a total amount ranging from about 30% to about 50% by weight based on the total weight of the product excluding the container.

41. (Original) A microwave popcorn product according to claim 19, wherein the bag has a bottom region, a middle region adjacent the bottom region, a top region adjacent the middle region, and an opening in contact with the top region, wherein the bottom region, middle region and top region are approximately equal in length; and further wherein the bag is folded so that the bottom region and top region overlay the middle region.

42. (Original) A microwave popcorn product according to claim 41, wherein the unpopped corn kernels and sugar pellets, along with an oil component are contained substantially within the middle region.

43. (Original) A microwave popcorn product according to claim 42, wherein the majority of the sugar pellets is contained with a portion of the middle region nearest the bottom region or the top region, and further wherein the majority of the unpopped corn kernels and the majority of the oil component are contained within a portion of the middle region nearest the other of the bottom region or the top region.

44. (Original) A microwave popcorn product according to claim 43, wherein the susceptor covers substantially the entire length of the middle region.

45. (Original) A microwave popcorn product according to claim 44, wherein:

the unpopped corn kernels are present in a total amount ranging from about 40% to about 95% by weight based on the total weight of the product excluding the container;

the sugar pellets are present in a total amount ranging from about 1% to about 10% by weight based on the total weight of the product excluding the container; and

the oil component is present in a total amount ranging from about 10% to about 45% by weight based on the total weight of the product excluding the container.

46. (Original) A microwave popcorn product according to claim 44, wherein:

the unpopped corn kernels are present in a total amount ranging from about 45% to about 75% by weight based on the total weight of the product excluding the container;

the sugar pellets are present in a total amount ranging from about 2% to about 4% by weight based on the total weight of the product excluding the container; and

the product further comprises an oil component present in a total amount ranging from about 20% to about 40% by weight based on the total weight of the product excluding the container.

47. (Original) A microwave popcorn product according to claim 43, wherein the susceptor covers less than 90% of the length of the middle region, thereby creating a portion of the middle region not covered by the susceptor that corresponds to the portion of the middle region in which the majority of the sugar pellets is contained.

48. (Original) A microwave popcorn product according to claim 47, wherein:

the unpopped corn kernels are present in a total amount ranging from about 25% to about 55% by weight based on the total weight of the product excluding the container;

the sugar pellets are present in a total amount ranging from about 15% to about 25% by weight based on the total weight of the product excluding the container; and

the oil component is present in a total amount ranging from about 30% to about 50% by weight based on the total weight of the product excluding the container.

49. (Original) A microwave popcorn product according to claim 1, wherein each sugar pellet comprises sugar in an amount ranging from about 30% to about 75% by weight, based on the weight of the sugar pellet.

50. (Original) A microwave popcorn product according to claim 1, wherein the sugar pellets each further comprise a polishing material.

51. (Currently Amended) A method for producing a microwave popcorn product comprising:

providing a microwaveable container having a top, a bottom, and an opening at the top of the container;

introducing into the container sugar pellets and unpopped corn kernels, wherein the sugar pellets and unpopped corn kernels are not homogeneously mixed;

introducing into the container an oil component, wherein more of the oil component is contained in the container with the unpopped corn kernels than is maintained with the sugar pellets, the kernels acting generally as a buffer between the unhomogenized sugar pellets and the oil component, thereby reducing burning of the sugar pellets when the product is heated.

52. (Original) A method according to claim 51, wherein the sugar pellets are introduced into the container before the unpopped kernels are introduced into the container.

53. (Original) A method according to 51, wherein the sugar pellets are introduced into the container before the oil component is introduced into the container.

54. (Original) A method according to 51, wherein the container includes a susceptor over at least a portion of the length of the container.

55. (Original) A method according to 51, wherein the microwaveable container comprises a bag having a top surface, a bottom surface, and a generally-flat susceptor attached to the bottom surface of the bag.

56. (Original) A method according to claim 55, wherein the susceptor extends over at least about 50% of the length of the bag.

57. (Original) A method according to claim 56, wherein
the unpopped corn kernels are introduced in a total amount ranging from about 40% to about 95% by weight based on the total weight of the product excluding the container;
the sugar pellets are introduced in a total amount ranging from about 1% to about 10% by weight based on the total weight of the product excluding the container; and
the oil component is introduced in a total amount ranging from about 10% to about 45% by weight based on the total weight of the product excluding the container.

58. (Original) A method according to claim 55, wherein the susceptor covers at least about 90% of the width of the bag.

59. (Original) A method according to claim 58, wherein:
the unpopped corn kernels are introduced in a total amount ranging from about 25% to about 55% by weight based on the total weight of the product excluding the container;
the sugar pellets are introduced in a total amount ranging from about 15% to about 25% by weight based on the total weight of the product excluding the container; and
the oil component is introduced in a total amount ranging from about 30% to about 50% by weight based on the total weight of the product excluding the container.

60. (Original) A method according to claim 54, wherein the bag has a bottom region, a middle region adjacent the bottom region, a top region adjacent the middle region, and an opening in contact with the top region, wherein the bottom region, middle region and top region are approximately equal in length; and further wherein the bag is folded so that the bottom region and top region overlay the middle region.

61. (Original) A method according to claim 60, wherein the unpopped corn kernels, sugar pellets, and oil component are contained substantially within the middle region.

62. (Original) A method according to claim 61, wherein the majority of the sugar pellets is contained with a portion of the middle region nearest the bottom region or the top region, and further wherein the majority of the unpopped corn kernels and the majority of the oil component are contained within a portion of the middle region nearest the other of the bottom region or the top region.

63. (Original) A method according to claim 62, wherein the susceptor covers substantially the entire length of the middle region.

64. (Original) A method according to claim 63, wherein:

the unpopped corn kernels are introduced in a total amount ranging from about 40% to about 95% by weight based on the total weight of the product excluding the container;

the sugar pellets are introduced in a total amount ranging from about 1% to about 10% by weight based on the total weight of the product excluding the container; and

the oil component is introduced in a total amount ranging from about 10% to about 45% by weight based on the total weight of the product excluding the container.

65. (Original) A method according to claim 63, wherein:

the unpopped corn kernels are introduced in a total amount ranging from about 45% to about 75% by weight based on the total weight of the product excluding the container;

the sugar pellets are introduced in a total amount ranging from about 2% to about 4% by weight based on the total weight of the product excluding the container; and

the oil component is introduced in a total amount ranging from about 20% to about 40% by weight based on the total weight of the product excluding the container.

66. (Original) A method according to claim 62, wherein the susceptor covers less than 90% of the length of the middle region, thereby creating a portion of the middle region not covered by the susceptor that corresponds to the portion of the middle region in which the majority of the sugar pellets is contained.

67. (Original) A method according to claim 66, wherein:

the unpopped corn kernels are introduced in a total amount ranging from about 25% to about 55% by weight based on the total weight of the product excluding the container;

the sugar pellets are introduced in a total amount ranging from about 15% to about 25% by weight based on the total weight of the product excluding the container; and

the oil component is introduced in a total amount ranging from about 30% to about 50% by weight based on the total weight of the product excluding the container.

68. (Currently Amended) A method for producing a microwave popcorn product comprising:

providing a microwaveable container having a top, a bottom, and an opening at the top of the container;

introducing into the container sugar pellets and unpopped corn kernels so that the sugar pellets and unpopped corn kernels are not homogeneously mixed; and

introducing into the container an oil component, wherein more of the oil component is contained in the container with the unpopped kernels than is maintained with the sugar pellets,

wherein each sugar pellet comprises sugar in an amount of at least about 15% by weight, based on the total weight of the sugar pellet, and is substantially free of an emulsifying agent about ~~but~~ 15% by weight, based on the total weight of the sugar pellet, wherein the sugar pellets are substantially free of an emulsifying agent and are not homogeneously mixed with the unpopped kernels, and; and

an oil component in the container, wherein more of the oil component is contained in the container with the unpopped kernels than is maintained with the sugar pellets, and wherein the kernels act generally as a buffer between the unhomogenized sugar pellets and the oil component, thereby reducing burning of the sugar pellets when the product is heated.